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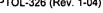
UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FIL	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/770,135	0:	2/02/2004	C. Dwayne Fulton	506558-0043	506558-0043 9667	
27910	7590	09/27/2005		EXAMINER		
~		ON HECKER LLF	MAZUMDAR, SONYA			
ATTN: PATENT GROUP 1201 WALNUT STREET, SUITE 2800				ART UNIT	PAPER NUMBER	
KANSAS C	ITY, MO	64106-2150		1734		
				DATE MAH ED: 00/27/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

			N				
	Application No.	Applicant(s)					
Office Action Summany	10/770,135	FULTON, C. DWAYNE					
Office Action Summary	Examiner	Art Unit					
	Sonya Mazumdar	1734					
The MAILING DATE of this communication app Period for Reply	pears on the cover sheet with the c	orrespondence address					
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply - If NO period for reply is specified above, the maximum statutory period of Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be tin y within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from , cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).					
Status			•				
1)⊠ Responsive to communication(s) filed on <u>02 F</u> c	ebruary 2004						
	action is non-final.						
3) Since this application is in condition for allowar		secution as to the merits is					
	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims							
4)⊠ Claim(s) <u>1-10</u> is/are pending in the application.							
	4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.							
6) Claim(s) is/are rejected.							
	☐ Statin(s)israre objected to: ☐ Claim(s) <u>1-10</u> are subject to restriction and/or election requirement.						
Application Papers							
9) The specification is objected to by the Examine	r						
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
Replacement drawing sheet(s) including the correcti	_	• •					
11) The oath or declaration is objected to by the Ex			1.				
	animor. Note the attached effec	Action of 101111 10-152.					
Priority under 35 U.S.C. § 119							
 12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the priori 	s have been received. s have been received in Application	on No					
application from the International Bureau	, ,,,						
* See the attached detailed Office action for a list of	of the certified copies not receive	d.	·				
Attachment(s)							
1) Notice of References Cited (PTO-892)	4) 🔲 Interview Summary ((DTO 412)					
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Da	te					
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	5) Notice of Informal Pa	atent Application (PTO-152)					

U.S. Patent and Trademark Office PTOL-326 (Rev. 1-04)



DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 1-7, drawn to a method of decorating a model car, classified in class 156, subclass 156/249.
 - Claims 8-10, drawn to a sheet of decorating material, classified in class
 428, subclass 322.2.
- 2. Inventions I and II are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product (MPEP § 806.05(h)). In the instant case, the process could utilize a decorating material containing a film without an opaque layer for a design with a transparent background can be placed upon the car.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sonya Mazumdar whose telephone number is (571) 272-6019. The examiner can normally be reached on Mon-Fri, 8AM-4:30PM.

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Art Unit: 1734

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Fiorilla can be reached on (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SM

CHRIS FIORILLA SUPERVISORY PATENT EXAMINER

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